

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 101 - HB 1640

March 26, 2011

SUMMARY OF BILL: Defines “healthcare liability action” and “healthcare provider” and requires any civil action against a licensed nursing home, home for the aged, assisted-living facility, or an employee involved in the provision of health care in which the claimant alleges injury related to the provision or failure to provide health care services be considered a medical malpractice action regardless of any other claims, causes of action, or theories of liability alleged in the complaint.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- There will not be an impact on the oversight or regulatory functions of the Department of Commerce and Insurance or the Department of Health.
- According to the Bureau of TennCare, sufficient information is not available to determine whether changes in tort liability laws pertaining to nursing homes would impact reimbursement rates. Any financial impact, if realized, would not be reflected in actual expenditures until several years after implementation of the law. Any immediate fiscal impact will be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White".

James W. White, Executive Director

/kml